

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

PLAINTIFF,

v.

KROGER TEXAS, L.P.

DEFENDANT.

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CIVIL ACTION NO. H-05-1768

JURY TRIAL DEMANDED

DEFENDANT'S RESPONSE TO MOTION TO INTERVENE

Defendant Kroger Texas L.P. does not oppose the Motion to Intervene of Yolanda E. Washington and Subrena L. Tarver.

Dated August 2, 2005

Respectfully submitted,

/s/J. Bradley Spalding

J. Bradley Spalding

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was served upon the following counsel on this 2nd day of August 2005 by certified mail, return receipt requested:

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/s/J. Bradley Spalding
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